

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Vacant, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**PROCLAMATION IN RECOGNITION FOR KEVIN BOYLAN,
DIRECTOR OF HUMAN RESOURCES,
ON THE OCCASION OF HIS RETIREMENT**

**PRESENTATION IN RECOGNITION OF THE NEW MAGAZINE,
"LONG BEACH CITYWORKS"**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARING:

1. [06-1348](#) Recommendation to receive supporting documentation into the record, conclude the public hearing, adopt resolution initiating proceedings and requesting the Local Agency Formation Commission approve an annexation of the Will Johnson Reservoir;

- [06-1322](#) Adopt resolution initiating proceedings and requesting that the Local Agency Formation Commission approve an annexation of the Rancho Dominguez/Alameda Industrial Area;

- [06-1323](#) Adopt resolution amending the Land Use Element of the General Plan to include policies for the area and designate Land Use Districts therein; and

- [06-1324](#) Declare ordinance pre-zoning the area for General Industrial and Public Right-of-Way uses read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)
Office or Department: PLANNING COMMISSION; PLANNING AND BUILDING

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (2 - 27)

2. [06-1341](#) Recommendation to authorize City Manager to execute a Mills Act Historic Property contract with Kevin Poi and Thomas Hoehn, owners of 4242 Pine Avenue, a designated landmark generally referred to as the Henry Clock House. (District 8)
Office or Department: PLANNING COMMISSION; PLANNING AND BUILDING
Suggested Action: Approve recommendation.

3. [06-1349](#) Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$30,000 for permanent disability rating, and separate authority to pay \$5,000 to resolve vocational rehabilitation benefits for claim of Theodore Davenport, in compliance with the Appeals Board Order.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.

4. [06-1350](#) Recommendation to authorize City Attorney to submit Stipulation with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$8,680 for the claim of Victoria Love, in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
5. [06-1357](#) Recommendation to authorize City Manager to execute a contract with Edward White & Co., LLP to perform an Article 9 review in an amount not to exceed \$205,000 for the term of the contract from December 1, 2006 to November 30, 2007.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
6. [06-1356](#) Recommendation to refer to City Attorney damage claims received between December 7, 2006 and December 14, 2006.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
7. [06-1358](#) Recommendation to grant an extension of time until January 22, 2007 for filing report of the Hearing Officer on the suspension/revocation of entertainment Permit No. BU99041410 issued to Mariposa Restaurant Group LLC, dba Mariposa, 100 W. Broadway, Long Beach, 90802. (District 2)

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [06-1292](#) Recommendation to authorize City Manager to execute an Amendment to the Second Amended and Restated Ground Lease and Memorandum of Lease for the Pike at Rainbow Harbor Project. (District 2)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

9. [06-1325](#) Recommendation to authorize City Manager to submit an application for an allocation of federal New Markets Tax Credits and approve a contract with Kelli Bernard to prepare the application and to provide project administration for the program, if approved. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

10. [06-1364](#) Recommendation to adopt resolution maintaining standardized Entertainment District conditions of operation and tiered conditions;
- [06-1305](#) Declare Ordinance extending the Downtown Dining and Entertainment District Pilot Program through March 31, 2007, read the first time and laid over to the next regular meeting of the City Council. (Districts 1,2)
Office or Department: FINANCIAL MANAGEMENT; POLICE
Suggested Action: Approve recommendation.
11. [06-1326](#) Recommendation to receive and file the Annual Inspection of Local Detention Facilities Report by the Department of Health and Human Services. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES
Suggested Action: Approve recommendation.
12. [06-1327](#) Recommendation to authorize City Manager to execute (i) an Assignment Consent Agreement to Assignment from Edgington Oil Company to Edgington Oil Company, LLC, certain rights and obligations under the Customer Natural Gas Transportation/Service Agreement with the City of Long Beach, and (ii) the Assignment Consent Agreement attached in Exhibit A to the Resolution. (District 9)
Office or Department: LONG BEACH GAS AND OIL
Suggested Action: Approve recommendation.
13. [06-1328](#) Recommendation to adopt resolution to change the overnight parking fee at beach area parking lots from \$30 per month, or any portion thereof, to include a discounted fee of \$25 per month, or any portion thereof, for paying for the term of the pass in advance. (Districts 2,3)
Office or Department: PARKS, RECREATION AND MARINE
Suggested Action: Approve recommendation.

14. [06-1329](#) Recommendation to award contracts to Katherine Spitz Associates, Inc.; Nuvis; David Volz Design; Hirsch & Associates, Inc.; RBF Consulting; Melendrez; Moore Iacofano Goltsman, Inc.; and RJM Design Group, Inc., for as-needed landscape architecture services for a three-year, as-needed service contract, with a maximum authorized amount of \$600,000 over the three-year period. (Citywide)
Office or Department: PARKS, RECREATION AND MARINE
Suggested Action: Approve recommendation.
15. [06-1330](#) Recommendation to receive and file the application of Michael David Ellis, dba Riley's Pub & Grill, to drop a partner from an Alcoholic Beverage Control License at 4133 E. Anaheim Street. (District 4)
Office or Department: POLICE
Suggested Action: Approve recommendation.
16. [06-1331](#) Recommendation to receive and file the application of SG Fuels Inc., dba Arco AM/PM, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1001 Redondo Avenue, with existing conditions. (District 4)
Office or Department: POLICE
Suggested Action: Approve recommendation.
17. [06-1332](#) Recommendation to receive and file the application of Habiba Begum Hoque, dba Wing Stop, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2000 Long Beach Boulevard, with existing conditions. (District 6)
Office or Department: POLICE
Suggested Action: Approve recommendation.
18. [06-1333](#) Recommendation to receive and file the application of Kyeong Ju Ham, dba John's Liquor & Jr. Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1428 Atlantic Avenue, with existing conditions. (District 6)
Office or Department: POLICE
Suggested Action: Approve recommendation.

19. [06-1334](#) Recommendation to receive and file the application of Sazzadur Rahman, dba Shop N Go Food & Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2990 E. Artesia Boulevard, with existing conditions. (District 9)
Office or Department: POLICE
Suggested Action: Approve recommendation.
20. [06-1165](#) Recommendation to authorize City Manager to execute subdivision agreements and find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 62142 located at the southwest corner of Broadway and Linden Avenue. (District 2)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
21. [06-1335](#) Recommendation to authorize City Attorney to accept an easement deed for alley widening adjacent to 1593 - 1643 Pacific Avenue. (District 1)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
22. [06-1336](#) Recommendation to adopt Resolution of Intention to vacate a portion of the east-west alley in the block west of Long Beach Boulevard and south of Third Street, adjacent to 210 E. Third Street, and set a date for a public hearing on the vacation for January 23, 2007, at 5:00 P.M. (District 2)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
23. [06-1337](#) Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 64294 located north of 10th Street and west of Stanley Avenue. (District 4)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.

24. [06-1338](#) Recommendation to request City Attorney to accept three easement deeds for the dedication of new street right-of-way related to the development of Douglas Park. (District 5)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
25. [06-1339](#) Recommendation to authorize City Manager to execute an Assignment Consent Agreement for a portion of Facility/Pipeline Permit No. P-140-83 from Kinder Morgan Liquids Terminals, LLC (formerly GATX Terminals Corporation) to Paramount Petroleum Corporation, in accordance with Section 15.44.220, Permit-Transfer, of the City of Long Beach Municipal Code. (District 9)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.
26. [06-1355](#) Recommendation to receive and file minutes of:
Harbor Commission - November 20 and December 4, 2006 (3).
Planning Commission - October 5 and 19, 2006.
Water Commission - November 16, 2006.
Office or Department: VARIOUS
Suggested Action: Approve recommendation.
27. [06-1368](#) Recommendation to approve Proclamation in recognition for Kevin Boylan, Director of Human Resources, on the occasion of his retirement.
Office or Department: LEGISLATIVE
Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

28. [06-1353](#) Recommendation to approve the 2007 Federal Legislative Agenda as recommended by the Federal Legislation Committee.
- Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT, CHAIR; FEDERAL LEGISLATION COMMITTEE
- Suggested Action:** Approve recommendation.
29. [06-1351](#) Recommendation to request City Manager provide the City Council a report within thirty days concerning the status and projected schedule of reinstating library hours at all library branches.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.

30. [06-1352](#) Recommendation to request Public Safety Committee review a proposal and report back to the full City Council within 60 days, to establish by ordinance a Public Safety Commission comprised of the Mayor, City Council, City Manager, Chief of Police, Fire Chief and City Prosecutor that shall establish appropriate levels of public safety staffing consistent with the City's population, public safety priorities, police and fire policies and practices, number of calls for service, response times, uniform crime reporting data, population size and density, demographics of population, citizen demands for services, municipal resources, surrounding jurisdiction crime statistics and data from the National Fire Protection Association, Federal Emergency Management Agency, Insurance Services Office, International Cities Management Association and the Commission on Fire Accreditation International.

The Commission shall report its findings and the City Council shall adjust budgeting for public safety staffing accordingly.

Nothing would preclude the Mayor and City Council from convening this Commission more than once every five years.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

31. [06-1354](#) Recommendation to request City Manager to report within 45 days the following: 1) Does the City employ a limnologist who is responsible for on-going assessment and maintenance of the City's lakes and ponds? 2) Does the City have a comprehensive plan to manage and maintain these lakes and ponds? 3) Has the water quality and condition of these lakes and ponds been assessed and what are the results? 4) Are the configuration and management of these lakes and ponds a part of the City's storm water management program? 5) Does the City employ an avian specialist who can work with the City to develop an avian protection plan that includes a public education effort to discourage (and/or perhaps fine) visitors who feed birds at the lakes and ponds?

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

32. [06-1359](#)

Recommendation to receive and file the attached notes and supporting materials from the Second District "Let's Talk About Noise" town hall held at the Aquarium of the Pacific on Thursday, September 28, 2006;

Refer the following recommendations to Environmental Committee and request City Manager and City Attorney to work with the committee to evaluate the recommendations and where appropriate, implement administrative changes or draft language for City Council consideration:

1. Modify hours when construction may start during weekdays from 7:00 a.m. to 8:00 a.m. in the City's Noise Ordinance (Health and Safety, Chapter 8.80.202).
2. Modify Entertainment Permit requirements so that a permit would not be based on the number of band members or amplifiers, but rather on the noise limits set by the City's Noise Ordinance.
3. Modify hours when power tools such as saws, sanders, lawn mowers or other garden tools may begin operating on weekends from 7:00 a.m. to 9:00 a.m. on Saturdays and 11:00 a.m. on Sundays, similar to current language regarding leaf blowers (Health and Safety, Chapter 8.80.200).
4. Review efficacy of enforcement efforts in the marinas and harbor to control excessively loud noise impacting "live-aboard" residents and waterfront businesses. Specifically, noise from stationary sources such as Events Park or the Queen Mary and mobile sources such as "cigarette" boats (engine and stereo noise). If necessary, legislative recommendations should be made to modify current State Code regarding enforcement of noise on our waterways.
5. Request assistance from Long Beach Transit in identifying locations where idling buses may be impacting residents and consider alternatives.

Office or Department: COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT

Suggested Action: Approve recommendation.

33. [06-1360](#)

Recommendation to request Chief of Police, City Prosecutor and City Manager to implement an action plan to reduce excessively loud noise from illegally modified exhaust systems based on, but not limited to, the following measures:

- a. Continued active enforcement of the California Vehicle Code (Section 27150 & 27151) relating to illegally modified exhaust systems.
- b. A public education campaign informing the press, residents and businesses of the Police Department's proactive efforts to enforce excessive noise violations. In particular, businesses associated with motorcycle sales, repair and modification *or* those frequented by motorcycle enthusiasts.
- c. Communication with neighboring cities and enforcement agencies of our proactive stance.
- d. Communication with residents in the City who have motorcycles registered with the Department of Motor Vehicles (DMV), informing them of the Police Department's intent, rationale for the proactive stance and notification that *unmodified* motorcycles will not be in violation.
- e. Checkpoints or task force strategies focused on particular locations or corridors known to be frequented by vehicles with modified exhaust systems.
- f. Expand the current use of programmable message boards to remind the public about the City's proactive stance on excessively loud exhaust systems.
- g. Provide recommendations for modifying current California Vehicle Code through state legislation to enhance the Police Department and City Prosecutor's enforcement efforts.
- h. Provide the City Council with an evaluation of the action plan after one year, based on community feedback, number of citations, citations involving repeat offenses and the outcome of cases involving illegally modified exhaust systems sent to the City Prosecutor.

Office or Department: COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT; COUNCILMEMBER
GARY DELONG, THIRD DISTRICT

Suggested Action: Approve recommendation.

34. [06-1361](#) Recommendation to request City Manager, in cooperation with the National Conference for Community and Justice (NCCJ) and other community resources, to provide the staff and assistance to initiate a series of Long Beach Community Family Fairs, with the first event to take place in early January in Bixby Knolls. This event could include a youth forum, roundtable discussions and a resource fair to highlight the many positive opportunities available for youth in our City.

Office or Department: COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

35. [06-1362](#) Recommendation to request Fire Department and Department of Planning and Building provide a report on fire suppression and fire alert requirements for pre-1974 buildings.

Office or Department: VICE MAYOR BONNIE LOWENTHAL, COUNCILMEMBER, FIRST DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT

Suggested Action: Approve recommendation.

36. [06-1363](#) Recommendation to request City Attorney draft an ordinance that establishes an Ethics Commission for the City of Long Beach whose duties would include advice and education: oversight of disclosure reports, lobbying and lobbyist registration; recommendation to the Council regarding new ethics regulations and policies; campaign issues (contribution limits, expenditures, permitted uses of funds, disclosure reports, campaign accounts, loans and time periods), and other issues that may be added at a later date.

Office or Department: VICE MAYOR BONNIE LOWENTHAL, COUNCILMEMBER, FIRST DISTRICT; COUNCILMEMBER VAL LERCH, NINTH DISTRICT

Suggested Action: Approve recommendation.

37. [06-1303](#) Recommendation to authorize City Manager to execute a contract for federal legislative representation services provided by Van Scoyoc Associates, Inc., for a term of nine months at an amount not to exceed \$135,000; and increase appropriations in the General Fund (GP) and in the City Manager's Office (CM) by \$46,260. (Citywide)
Office or Department: CITY MANAGER
Suggested Action: Approve recommendation.
38. [06-1340](#) Recommendation to receive and file Annual Report on Community Facilities District No. 6 to comply with the Local Agency Special Tax Bond and Accountability Act. (District 2)
Office or Department: FINANCIAL MANAGEMENT
Suggested Action: Approve recommendation.
39. [06-1343](#) Recommendation to adopt Plans and Specifications No. G-240 for gas main and service line replacement and authorize the City Manager to execute a contract with ARB, Inc., in an estimated amount of \$6,379,298. (Citywide)
Office or Department: LONG BEACH GAS AND OIL
Suggested Action: Approve recommendation.
40. [06-1344](#) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of SRKH Investments LLC, dba PCH Poultry & Market, for an original Alcoholic Beverage Control License, at 1701 Magnolia Avenue, with conditions. (District 1)
Office or Department: POLICE
Suggested Action: Approve recommendation.
41. [06-1345](#) Recommendation to receive and file the Airport activities report. (District 5)
Office or Department: PUBLIC WORKS
Suggested Action: Approve recommendation.

ORDINANCES:

42. [06-1342](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Chapter 10.28 and Section 10.30.020; and by adding Section 10.38.140, exempting holders of veteran's license plates from certain parking fees read the first time and laid over to the next regular meeting of the City Council for final reading.
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
43. [06-1290](#) Recommendation to declare ordinance amending Section 10.22.080 of the Long Beach Municipal Code by amending Subsection W relating to parking vehicles for sale, read and adopted as read. (District 9)
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
44. [06-1309](#) Recommendation to declare ordinance amending Section 2.07.010 of the Long Beach Municipal Code regarding the Code of Ethics, read and adopted as read. (Citywide)
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
45. [06-1313](#) Recommendation to declare ordinance amending certain time limits for the Poly High Redevelopment Project Area; and
- [06-1314](#) Declare ordinance amending certain time limits for the West Beach Redevelopment Project Area, read and adopted as read. (Districts 1,2,6)
Office or Department: COMMUNITY DEVELOPMENT
Suggested Action: Approve recommendation.

REVISED

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

46. [06-1369](#) Recommendation to appoint Belmont Shore resident and Improvement Association member Jeanette Gavin to the vacancy position on the Belmont Shore Parking & Business Improvement Area Advisory Commission; effective as of January 1, 2007.
- Office or Department:** MAYOR BOB FOSTER
- Suggested Action:** Approve recommendation.
47. [06-1370](#) Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the Department of Homeland Security Transportation Security Administration, 2003 Port Security Grant; and increase appropriations in the General Grants Fund (SR) and in the Police Department (PD) by \$200,163. (Citywide)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
- 48.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Monday, December 18, 2006 – Housing and Neighborhoods Committee at 5:30 P.M., Council Chamber.

Tuesday, December 19, 2006 – Tidelands and Harbor Committee at 11:00 A.M., Council Chamber.

Tuesday, December 19, 2006 – Charter Amendment Committee at 4:00 P.M., Council Chamber.

Tuesday, January 2, 2007 – Charter Amendment Committee at 4:00 P.M., Council Chamber.

Tuesday, January 9, 2007 – Charter Amendment Committee at 3:00 P.M., Council Chamber.

Tuesday, January 9, 2007 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDER:

January 9, 2007 – Continued hearing for a Permit for Entertainment With Dancing by Patrons at an existing restaurant, for Hush On Pine, Inc., dba Hush, 217 Pine Avenue. (District 2)

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov. adb